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10/628,902	07/28/2003	David Pettigrew	200310650-1	7436

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HEWLETT PACKARD COMPANY  
P O BOX 272400, 3404 E. HARMONY ROAD  
INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER

DAYE, CHELCIE L

ART UNIT PAPER NUMBER

2161

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/628,902

Applicant(s)

PETTIGREW, DAVID

Examiner

Chelcie Daye

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 and 61-66 is/are pending in the application.
- 4a) Of the above claim(s) 37-60 and 67 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 and 61-66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/28/03 & 1/31/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is issued in response to Application filed on July 28, 2003.
2. Claims 1-36 and 61-66 are pending. Claims 37-60 and 67 are withdrawn.
3. Claims 37-60 and 67 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse on January 17, 2006.

### ***Claim Objections***

4. Claim 15 is objected to because of the following informalities: ZIP. Examiner is unsure if applicant is cited the letters ZIP to be an acronym, because of the capitalization of the letters, or if applicant is referring to a zipper, or the action of zipping. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
6. Claims 21 and 35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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7. Claims 21 and 35 recite the limitation "said content" in the first line of claims 21 and 35. There is insufficient antecedent basis for this limitation in the claim. Claims 21 and 35 fail to reference "a content" within the preceding claims, which the claims as stated above depend on, therefore rendering the claims as having insufficient antecedent basis.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 1-12,14,15,19-36,61-63, and 65-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi (US Patent No. 6,633,888) in view of Keele (US Patent No. 5,611,066).**

Regarding Claims 1,23,61, and 66, Kobayashi discloses a method of creating an archived file in a manner that allows an application to distinguish between one or more data files and one or more print files in said archived file comprising

generating a manifest file (column 7, lines 49-51, Kobayashi); and

including said manifest file (column 7, lines 49-51, Kobayashi) in said archived file (column 7, lines 45-47, Kobayashi). However, Kobayashi does not

explicitly disclose wherein said manifest file indicates to said application a file location within said archived file associated with said one or more data files, a file location associated with said one or more print files, using an enforced directory structure; and automatically distinguish between the files. On the other hand, Keele discloses wherein said manifest file indicates to said application (column 23, lines 3-9, Keele; wherein application corresponds to "Creation Software Component") a file location within said archived file associated with said one or more data files (column 3, lines 5-11, Keele), a file location associated with said one or more print files (column 28-29, lines 62-67 and 1-3, Keele; wherein the location for the print files are represented by the "label" and print files correspond to "print labels", and wherein the archive file corresponds to files stored on a CD), using an enforced directory structure (column 25, lines 40-45, Keele); and automatically distinguishing between the files (column 22, lines 20-23, Keele). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Keele's teaching into the Kobayashi system. A skilled artisan would have been motivated to do so in order to receive the optimal use of the system. Differentiating between the multiple files is not only knowledgeable for the user but also for the system in order to improve download time. Kobayashi and Keele are analogous art because they are from the same field of endeavor of archiving data and making them available for access. As a result, by distinguishing between the different functions of the files, this allows the system to increase in production and speed and decrease in the amount of time needed.

Regarding Claims 2,24, and 62, the combination of Kobayashi in view of Keele, disclose a method further comprising:

extracting files from said archived file with said application (column 23, lines 19-22, Keele), said files including said one or more data files (column 3, lines 5-11, Keele), said one or more print files (column 28-29, lines 62-67 and 1-3, Keele), and said manifest file (column 7, lines 49-51, Kobayashi);

burning said one or more data files onto an optical disc (column 23, lines 43-52, Keele; wherein burning corresponds to "copy"); and

printing content corresponding to said one or more print files (column 28, lines 62-64, Keele).

Regarding Claims 3,25, and 63, the combination of Kobayashi in view of Keele, disclose a method further comprising downloading said archived file (column 7, lines 45-47, Kobayashi) to a system containing said application (columns 21-22, lines 66-67 and 1-2, respectively, Keele; wherein a system corresponds to "Enterprise Authoring System").

Regarding Claims 4 and 26, the combination of Kobayashi in view of Keele, disclose a method wherein said archived file is downloaded from an Intranet or a website (column 23, line 34, Kobayashi) on an Internet (column 8, lines 19-23, Kobayashi).

Regarding Claims 5 and 27, the combination of Kobayashi in view of Keele, disclose a method wherein said archived file is downloaded from a wide area network or a local access network (column 7, lines 7-10, Kobayashi).

Regarding Claims 6 and 28, the combination of Kobayashi in view of Keele, disclose a method wherein said archived file is downloaded from a floppy disk, an optical disc, or a hard drive (column 6, lines 54-55, Kobayashi).

Regarding Claims 7 and 29, the combination of Kobayashi in view of Keele, disclose a method wherein said one or more print files comprise a label file (column 18, lines 16-20, Kobayashi).

Regarding Claims 8 and 30, the combination of Kobayashi in view of Keele, disclose a method wherein said one or more data files comprise a disk image file (column 22, lines 26-29, Keele).

Regarding Claims 9 and 31, the combination of Kobayashi in view of Keele, disclose a method wherein said disk image file is in International Organization for Standardization (ISO) 9660 file format (column 23, lines 14-17, Keele).

Regarding Claims 10 and 32, the combination of Kobayashi in view of Keele, disclose a method wherein said one or more data files comprise audio files (Fig.1, item 197; columns 6-7, lines 64-67 and 1, respectively, Kobayashi).

Regarding Claims 11 and 33, the combination of Kobayashi in view of Keele, disclose a method wherein said one or more data files comprise video files (Fig.1, item 165; column 7, lines 5-7, Kobayashi).

Regarding Claims 12 and 34, the combination of Kobayashi in view of Keele, disclose a method wherein said one or more print files comprise graphics files (column 22, lines 56-58, Kobayashi).

Regarding Claims 14 and 65, the combination of Kobayashi in view of Keele, disclose a method further comprising:

compressing said archived file (column 7, lines 47-49, Kobayashi) before said downloading of said archived file (column 7, lines 45-47, Kobayashi); and

decompressing said archived file (column 29, lines 33-36, Keele) before said extracting of said files (column 8, lines 46-51, Kobayashi).

Regarding Claim 15, the combination of Kobayashi in view of Keele, disclose a method wherein said compressing comprises employing a ZIP compression algorithm (column 7, lines 47-49, Kobayashi).



Regarding Claim 19, the combination of Kobayashi in view of Keele, disclose method further comprising including said manifest file (column 7, lines 49-51, Kobayashi) in a root directory (column 41, lines 42-43, Keele) of said archived file (column 7, lines 45-47, Kobayashi).

Regarding Claim 20, the combination of Kobayashi in view of Keele, disclose a method further comprising:

including said manifest file (column 7, lines 49-51, Kobayashi) in any directory (column 19, lines 9-14, Kobayashi) of said archived file (column 7, lines 45-47, Kobayashi); and

including a boot file (column 41, lines 19-21, Keele) in a root directory (column 41, lines 42-43, Keele) of said archived file (column 7, lines 45-47, Kobayashi), said boot file (column 41, lines 19-21, Keele) indicating a path of said manifest file (column 53, lines 42-46, Keele) in said archived file (column 7, lines 45-47, Kobayashi);

wherein said application is configured to recognize and read (column 28, lines 4-6, Keele) said boot file (column 41, lines 19-21, Keele).

Regarding Claims 21 and 35, the combination of Kobayashi in view of Keele, disclose a method wherein said content comprises a label (Fig.11, item

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1160, Kobayashi; wherein property corresponds to content), a lyric sheet, a user manual, a case insert, or a case cover.

Regarding Claims 22 and 36, the combination of Kobayashi in view of Keele, disclose a method wherein said optical disc comprises a compact disk (column 22, lines 2-5, Keele), a digital versatile disk, or a video game disk.

**10. Claims 13,16-18, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi (US Patent No. 6,633,888) in view of Keele (US Patent No. 5,611,066) as applied to claims 1-12,14,15,19-36, and 65-66 above, and further in view of Taylor (US Patent Application No. 20040019596).**

Regarding Claims 13 and 64, the combination of Kobayashi in view of Keele, disclose all of the claimed subject matter. However, Kobayashi in view of Keele do not explicitly disclose a method comprising generating said manifest file in Extensible Markup Language (XML). On the other hand, Taylor discloses a method further comprising generating said manifest file in Extensible Markup Language (XML) ([0052], lines 1-3, Taylor). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Taylor's teaching into the Kobayashi in view of Keele system. A skilled artisan would have been motivated to combine the Extensible Markup Language into the Kobayashi system because XML is known to be a simple, very flexible text format for

exchanging structured documents and data across different systems, particularly systems connected via the Internet. According to the Microsoft Computer Dictionary, the definition of XML is allowing Web developers and designers to create customized tags that offer greater flexibility in organizing and presenting information than is possible with the older HTML document coding system. The art of Taylor are analogous to the art Kobayashi in view of Keele, because they are from the same field of endeavor of archiving objects and making them available for access. As a result, XML defines the type of information contained in a document, making it easier to return useful results and allowing the system to perform with more accuracy.

Regarding Claim 16, the combination of Kobayashi in view of Keele and further in view of Taylor, disclose a method wherein said generation of said manifest file comprises:

combining descriptor terms (Fig.2, table 60; [0035], lines 3-5, Taylor) with file-specific information (Fig.2, items 68,70,72; [0035], lines 5-8, Taylor);

wherein, when said application reads said manifest file (column 28, lines 4-6, Keele), said descriptor terms indicate to said application ([0042], line 1, Taylor; wherein the unique identifier is the indicator to distinguish between the different file) which of said files are said one or more data files (column 3, lines 5-11, Keele) and which of said files are said one or more print files (column 28-29, lines 62-67 and 1-3, Keele).

Regarding Claim 17, the combination of Kobayashi in view of Keele and further in view of Taylor, disclose a method wherein said descriptor terms comprise:

a term<sup>1</sup> for identifying a file location of said one or more data files (column 3, lines 5-11, Keele); and  
a term<sup>2</sup> for identifying a file location of said one or more print files (column 28-29, lines 62-67 and 1-3, Keele).

Regarding Claim 18, the combination of Kobayashi in view of Keele and further in view of Taylor, disclose a method wherein said file-specific information comprises a file path and name (column 53, lines 42-46, Keele).

***Other Prior Art Made of Record***

1. Schmidt et al. (US Patent No. 6,535,894) discloses a an original archive file having one or more entries is created, where each entry in the original archive file is itself a file, and where each entry in the archive file may comprise any file type, including an archive file.

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<sup>1</sup> Term corresponds to "version number".

<sup>2</sup> Term corresponds to "physical media hub number".

***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chelcie Daye whose telephone number is 571-272-3891. The examiner can normally be reached on M-F, 7:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chelcie Daye  
Patent Examiner  
Technology Center 2100  
January 19, 2006

  
SAFET METJAHIC  
SUPERVISORY PATENT  
TECHNOLOGIST